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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,057	03/13/2002	Fong Fatt Chee	1126.P001US/HCH/dcm	6716

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EXAMINER

SMITH, JEFFREY A

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 12/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/088,057

Applicant(s)

CHEE, FONG FATT

Examiner

Jeffrey A. Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_.

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**DETAILED ACTION**

***Drawings***

The drawings filed on 13 March 2002 are approved.

***Specification***

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Porter (U.S. Patent No. 6,426,699) in view of Kaarsoo et al. (U.S. Patent No. 5,475,378).

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Porter '699 discloses a system and method for facilitating a delivery or pick-up of goods to and from a customer (col. 1, lines 13-18).

Porter '699 discloses that a person shopping on a website may place and order for a good and have that good delivered to a locker module (col. 6, lines 1-13). Vendors, delivery agents, and customers are all registered with the Porter system (note: "vendor codes", "employee codes", and "homeowner codes" at col. 5, lines 60-63). The system controller makes a reservation for the locker unit by using temporary vendor codes (col. 4, lines 27-29) or by using codes with identify a particular transaction (col. 4, lines 35-37). A delivery of said good is made to the locker unit and the customer is contacted of the completion of said delivery so that the customer may pick up the delivered good (col. 4, lines 1-4). The system employs a system controller which communicably connects a customer PC, a vendor's PC, and a delivery agent's PC together (col. 4, lines 56-65; col. 5, lines 13-21). The Porter '699 system and method employs a smart-card reader (col. 3, lines 61-67).

Porter '699 does not disclose a plurality of locker modules.

Kaarsoo et al., however, in a similar system and method (col. 1, lines 4-6) teaches the provision of a plurality of

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locker modules (18) which may be each assigned to one of a plurality of individuals (see Fig. 1).

It would have been obvious to one of ordinary skill in the art to have provided the system and method of Porter '699 to have included a plurality of locker modules, as demonstrated by Kaarsoo et al., in order to have provided a centralized system or method for the delivery and pick up of goods in an environment in which many people reside or are employed (such as a condominium residence or an office environment).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Porter (U.S. Patent No. 5,774,053) is incorporated by reference in U.S. Patent No. 6,426,699 (Porter '699).

Hardgrave et al. (U.S. Patent No. 6,010,239) discloses an automatic item-driven system for deposit and pick-up.

Tsukuda (U.S. Patent No. 6,085,170) discloses a delivery managing system (see col. 1, line 65-col. 2, line 5).

Sone (U.S. Patent No. 6,204,763 B1) discloses a household consumable item automatic replenishment system refrigerator.

Stephens et al. (U.S. Patent No. 6,323,782 B1) discloses an unattended item delivery system (see Figs. 3 and 4).

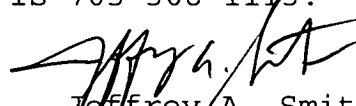
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Lateo (WO 97/43935) discloses a locking mail box which includes a communications module which is actuated to transmit a signal when the deposit of mail or other articles is sensed (page 4, lines 8-10).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Smith whose telephone number is 703-308-3588. The examiner can normally be reached on M-F 6:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-308-3691 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

  
Jeffrey A. Smith  
Primary Examiner  
Art Unit 3625

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December 16, 2002